

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In Re: COOK MEDICAL, INC.,
IVC FILTERS MARKETING, SALES
PRACTICES AND PRODUCTS
LIABILITY LITIGATION

Case No. 1:14-ml-2570-RLY-TAB
MDL No. 2570

This Document Relates to:

All Plaintiffs in Exhibits A & B

**ORDER ON NOTICE OF NONCOMPLIANCE:
SECOND AMENDED CASE CATEGORIZATION FORMS
(CMO-33) (QUALIFYING LAW FIRMS)**

On January 16, 2025, Cook filed a Notice of Noncompliance listing Plaintiffs who have not submitted Second Amended Case Categorization Forms. *See* Dkt. 26; *see also* Sixth Amended Case Management Order No. 4 (“CMO-4”), Dkt. 25716 at ¶ 2; Amended Case Management Order No. 33, Dkt. 25717. The deadline for these Plaintiffs to submit Second Amended Case Categorization Forms expired no later than November 12, 2024.¹ Dkt. 25896 at ¶¶ 1-2. Pursuant to the process outlined in CMO-4, Cook provided written notice of noncompliance to Plaintiffs’ Lead Counsel and counsel for the Plaintiffs at issue prior to filing their Notice of Non-Compliance. *See* Dkt. 25716 at ¶ 4.


Plaintiffs listed in **Amended Exhibit A** have failed to submit Second Amended Case Categorization Forms since the filing of the Notice of Noncompliance on January 16, 2025. The cases identified in **Amended Exhibit A** are therefore **DISMISSED WITHOUT PREJUDICE**

¹ Plaintiffs subject to this Notice of Noncompliance are represented by law firms who have appeared in 250 or more cases pending in the MDL and, therefore, receive the benefit of the Court’s Order Extending Time for Certain Plaintiffs to Comply with Amended CMO-32 and Amended CMO-33. *See* Dkt. 25896.

pursuant to Federal Rule of Civil Procedure 41 for failure to prosecute and for failure to comply with the Court's order. Plaintiffs listed in **Exhibit B**, however, have cured their deficiencies. The Notice of Non-Compliance is therefore **MOOT** as to those Plaintiffs listed in **Exhibit B**.

All parties shall bear their own fees and costs.

Date: 3/13/2025



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

Distribution to all electronically registered counsel of record via CM/ECF.